

GAHC010162072008



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case : Crl.A./125/2008

KABIR NAG
S/O LT. KUMUD NAG
R/O MALIGAON RLY. GATE NO.1 UNDER BHARALUMUKH P.S.
DIST. KAMRUP
ASSAM

VERSUS

C B I

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Advocate for : K SAIKIA
Advocate for : SC
CBI appearing for C B I

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 16-09-2025

Heard Mr. B.M. Choudhury, learned counsel for the appellant. Also heard Ms. M. Kumari, learned standing counsel, CBI.

Mr. B.M. Choudhury at the outset has submitted that he would not assail the impugned judgment of conviction of the appellant, herein, passed by the learned Special

Judge, CBI. He proceeds to submit that the appellant, herein, is presently aged around 80 years and is suffering from old aged ailments. Accordingly, he submits that the sentencing of the appellant by the learned trial court would require reconsideration, more so, considering the lapse of time, since the date of commission of the offence involved in the proceeding. He submits that the appellant, herein, had undergone detention for 82 days. Accordingly, he submits that this Court in exercise of its power on appeal be pleased to modify the sentence of the appellant, herein.

The above prayer is objected to by Ms. M. Kumari, learned standing counsel, CBI who submits that considering the nature of the offence established against the appellant, herein, the learned trial court had already taken a lenient view in the matter and the same would not mandate any review by this Court in exercise of appellate jurisdiction. She further submits that in economic offences like it involved in the present proceeding, the accused is to be punished with severe punishment so as to restrain commission of such offences in future.

I have heard the learned counsel for the parties.

Registry to list this matter again on 22-09-2025.

JUDGE

Comparing Assistant